

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
NEW YORK HOTEL & MOTEL TRADES COUNCIL, :
AFL-CIO, :

Petitioner, :

and :

45th ST HOTEL LLC d/b/a NIGHT HOTEL BY SB AT :
TIMES SQUARE, SOHO BOUTIQUE TIMES SQUARE :
LLC d/b/a NIGHT HOTEL BY SB AT TIMES :
SQUARE, :

Respondent. :
-----X

21-CV-5298 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:


Earlier today, the Court received the letter attached as Exhibit A from Petitioner seeking to amend the caption. That request is denied. Instead, Petitioner is granted leave to file an amended petition making **only** the change to the caption described, no later than **July 26, 2021**. All other dates and deadlines remain in effect.

That said, the docket does not currently appear to reflect service of the Petition on Soho Boutique Management LLC. Although Petitioner filed three affidavits of service, ECF Nos. 7, 8, 9, these affidavits reflect service only on Soho Boutique Times Square LLC (ECF Nos. 7 and 8) and 45th Street Hotel LLC (ECF No. 9). Petitioner shall **promptly** file proof of service of the Petition on Soho Boutique Management LLC.

Petitioner is reminded that the Court's Individual Rules and Practices require that letters to the Court be filed on ECF.

SO ORDERED.

Dated: July 22, 2021
New York, New York



JESSE M. FURMAN
United States District Judge

Exhibit A

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July 22, 2021

Via ELECTRONIC MAIL (Furman_NYSDChambers@nysd.uscourts.gov)

The Honorable Jesse M. Furman
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: New York Hotel and Motel Trades Council v. 45th Street Hotel LLC, et al.;
Case No. 21-cv-05298-JMF

Dear Judge Furman:

We are counsel to the New York Hotel and Motel Trades Council, AFL-CIO, petitioner in the above-referenced matter. We write to request leave to amend the caption in this matter. By oversight, a party was omitted from the caption, though it was addressed in the caption, specifically Soho Boutique Management LLC, addressed at paragraphs 11 and 12 of the petition. The amended caption would list the following as Respondents:

45th STREET HOTEL LLC d/b/a NIGHT HOTEL BY SB at TIMES SQUARE, SOHO BOUTIQUE TIMES SQUARE LLC d/b/a NIGHT HOTEL BY SB at TIMES SQUARE, and SOHO BOUTIQUE MANAGEMENT LLC, jointly and severally,

There are no deadlines in the case that would be affected by this extension, and there has been no previous request for an extension by either party. Thus, we respectfully request that the Court grant leave to amend the caption.

Thank you for your consideration of this request.

Respectfully submitted,

s/s Michael Bauman

Michael Bauman

cc: Kevin Frey, Esq. (via electronic mail)
All Defendants, including proposed additional defendant by Overnight Mail